



Public Library District Handbook

Table of Contents

Introduction	1
What is a library district in Montana?	1
Reasons to consider a library district.	1
Potential benefits of a library district.	1
Potential disadvantages of becoming a library district.	2
What are the difference between governing structures of libraries?	2
Who to contact for help?	2
Chart Comparing Difference Between Library Governance Structures in Montana	3
The Assessment Phase	5
Tasks of the Assessment Phase	5
Task A One: Conversations about Library Services.	5
Task A Two: Forming a Group.	6
Task A Three: Creating a Vision.	6
Task A Four: Preliminary Districting Decisions.	7
Task A Five: Cost Assessments.	9
Task A Six: Presenting the Idea to the Community.	10
Task A Seven: Identifying Supports.	10
Task A Eight: Identifying Opponents.	11
Task A Nine: Recruit New Group Members.	12
Assessment Phase: Checklist	13
Assessment Phase Form A: Group/Individual Meeting Analysis	14
Assessment Phase Form B: Volunteer Sign-Up	15
Assessment Phase Form C: Opinion Leaders	16
Assessment Phase Form D: Geographical/Social Analysis	17
Assessment Phase Form E: Districting Option Assessment	18
The Planning Phase	19
The Tasks of the Planning Phase	19
Task P One: Planning to Plan.	19
Task P Two: Planning Public Relations.	20
Task P Three: Coordinating Government Participation.	20
Task P Four: Planning Library Services.	22
Task P Five: Planning Administrative Structures.	24
Task P Six: Planning Personnel Issues.	25
Task P Seven: Planning for Facilities.	27
Task P Eight: Determining Costs and Levy.	28
Task P Nine: Final Districting Decisions.	29
Planning Phase: Checklist	30
Planning Phase Form A: Plan to Plan	31
Planning Phase Form B: Public Relations Plan	33
Planning Phase Form C: Sample Memorandum of Agreement with City	36
Planning Phase Form D: Personnel Comparisons	38

Table of Contents (continued)

The Decision Phase	40
Establishment	40
Elections	40
Task D One: Draft the Petition and Its Contents.	41
Task D Two: Setting the Election Date.	41
Task D Three: Creating an Election Calendar.	41
Decision Phase Form A: Possible Election Timeline for a Library District.	42
Task D Four: Plan Public Relations.	42
Task D Five: Circulating Petitions.	43
Task D Six: The Hearing with the County Commissioners	43
Task D Seven: Conduction the Election	44
Decision Phase Form B: Election Calendar	45
Decision Phase Form C: Petition for Election	46
Decision Phase Form D: Sample Ballot for Election	48
The Outcomes and Alternatives Phase	49
Task O One: Analyze the Election Campaign and Results.	49
Task O Two: Re-examine Alternatives.	50
Task O Three: Proceeding.	50
Success!	51
Task S One: Celebrate!	51
Task S Two: Monitor the County Commissioners and the City Council.	51
Task S Three: Carry Out Your Long Range Plan.	51
Task S Four: Publicize the Changes.	51
Addendum A	52
PUBLIC LIBRARY DISTRICTS — MONTANA CODE ANNOTATED 2005	52
22-1-701. Public library districts -- purpose -- territory.	52
22-1-702. Creation or enlargement of public library district.	52
22-1-703. Election on creation of district.	53
22-1-704. Formation of public library district — appointment of initial board of trustees.	53
22-1-705. Consolidation of existing public libraries and public library districts.	53
22-1-706. Election of board of trustees — compensation — removal — single-member trustee districts.	54
22-1-707. Duties and powers of board of trustees.	55
22-1-708. Public library district budget -- property tax levy.	55
22-1-709. Election to change maximum property tax mill levy.	56
22-1-710. Dissolution of public library district.	56
22-1-711. Effect of dissolution.	57
22-1-712 through 22-1-715 reserved.	57
22-1-716. Library depreciation reserve fund.	57

Introduction

"You need to use your brain to think of other solutions, use your heart to love libraries, and use your courage to keep them open." – 6 Year old Richard Lowenburg, speaking against closing the Mount Health branch library, Cincinnati Post, August 28.

Although Richard was talking about closing a branch of a library, his words send a message to those of us who struggle to provide quality library service in changing times. We must be creative in finding solutions to our problems. And we must remember the important role we play in our communities and in the hearts of our children.

This handbook is designed to help you through the process of forming a library district. It is divided into several stages with information about each stage and the steps you must take to form a library district. Before we begin talking about what you must accomplish to create a library district, we would like to take a moment to introduce li-

brary districts – what they are and why you might want to consider them.

We would like to thank the Idaho State Library for generously sharing their district handbook. Much of this handbook is adapted from the "Idaho Library Districting Handbook: 1999-2000 edition."

What is a library district in Montana?

A library district is a governmental unit with an elected board of trustees having the power to estab-

lish a property tax mill levy for library services. Voters in the district create a library district through an

election. A library district must contain territory with a taxable value of at least \$5 million.

Reasons to consider a library district

- Quality library service in our local communities is an essential part of our economic development, quality of life, and education.
- Library service is not free or cheap.

Potential benefits of a library district

- Could help areas with lower property values maintain quality library services.
- Allow public libraries to combine under a new administrative structure, which offers the potential for improved library services and cost savings through sharing costs, such as administrative, personnel, collections, and technology.
- Electors can establish and dissolve districts by direct vote.
- Members of the Board of Trustees are elected.
- Members of the Board of Trustees have the power to levy, within limits.
- Through elected trustees, libraries become directly linked to the people that they serve.
- City councils and county commissioners are freed from many of their administrative and governing responsibilities to the library.
- Communities can use the library district to improve an important and essential public service.
- Provide the opportunity for more stable funding.

Potential disadvantages of becoming a library district

- ◆ Forming a library district may not be the right answer for all areas.
- ◆ Some local control is given up.
- ◆ Holding a successful election takes a considerable effort.
- ◆ Electors can establish and dissolve districts by a direct vote.
- ◆ The complexity of forming a government entity takes a great deal of time and effort.

What are the differences between governing structures of libraries?

See the chart on the next two pages for a comparison of county, city, multijurisdictional, and district libraries.

Who to contact for help?

- ◆ Darlene Staffeldt, State Librarian, (406) 444-3115 or dstaffeldt@mt.gov
- ◆ Bob Cooper, Director of Library Development, (406) 444-5431 or bocooper@mt.gov
- ◆ Tracy Cook, Statewide Technology Librarian (406) 761-7120 or tcook@mtlib.org
- ◆ Suzanne Reymer, Statewide Technology Librarian (406) 255-0729 or sreymer@mtlib.org

Chart Comparing Difference Between Library Governance Structures in Montana

	City/County	Interlocal	Multijurisdictional	District
Creation	Resolution by governing body (city council or county commissioners) MCA 22-1-303	Contract between agencies for library services. Agreement is filed with county clerk or Secretary of State. MCA 7-11-101 thru 7-11-108	Interlocal agreement and ordinance or interlocal agreement and petition with signatures from 15% of registered voters. MCA 7-11-1105	Begin with petition with signatures from 15% of registered voters in proposed district or with a resolution from county commissioners. Requires open hearing and an election. MCA 22-1-702
Governance	Board of trustees are appointed by governing body (Mayor of city or chairman of County Commissioners) MCA 22-1-308	Governance is determined by contract. See MCA 7-11-105	Specified in interlocal agreement. Usually the same as city/county setup. MCA 7-11-111	Initial board is appointed by governing body of county. MCA 22-1-704 Voters within the district elect subsequent trustees. MCA 22-1-706
Finances	Receive money from city and/or county general fund. Library may also receive a property tax levy specifically for library subject to MCA 15-10-420.	Interlocal agreement determines what parties will pay to finance library services. MCA 7-11-105	Ordinance lists the mill levy (subject to MCA 15-10-420) necessary to finance library services. See also MCA 7-11-1106 and 7-11-1112.	Initial vote for district determines the maximum mill levy for the library (subject to MCA 15-10-420. See also MCA 22-1-703)
Dissolution	Resolution by governing body or petition of the people. MCA 22-1-303.	Dissolution is determined in interlocal agreement. Generally done by one or both parties in writing. MCA 7-11-105	Dissolution is determined in interlocal agreement. Generally done by one or both parties in writing. MCA 7-11-105	Dissolution begins with a resolution by library board or governing body or a petition signed by 15% of voters. Final dissolution occurs with election. MCA 22-1-710

Chart Comparing Difference Between Library Governance Structures in Montana (continued)

	City/County	Interlocal	Multijurisdictional	District
Board Powers and Duties	<ul style="list-style-type: none">• Have exclusive control of budget, construction or lease of library buildings; and operation and care of the library• Adopt bylaws for the board and library• Have the power to contract to give and receive library services• Have the power to acquire property for the library• Pay necessary expenses of library staff• Prepare an annual budget• Make an annual report• Accept gifts, etc.• Exercise such other powers, not inconsistent with law• MCA 22-1-309	Determined by contract, but generally the same as City/County. MCA 7-11-105.	Same as City/County. MCA 7-11-111(4)	<ul style="list-style-type: none">• Operate and maintain library property; conduct programs; make improvements to property• Prepare annual budgets• Pay necessary expenses of staff members• Prepare and submit records to Montana State Library• Employ or contract with personnel or other entities to receive or give library services• Acquire, own, and maintain property for the district• Adopt bylaws for the operation of the district• Establish a property tax mill levy• Accept donations• Establish a depreciation fund• Exercise other powers, not inconsistent with the law• MCA 22-1-707

The Assessment Phase

Districting is a complex process. In this book we will discuss the different phases in the districting process. The first one is the assessment phase. This is when you informally assess your local needs for public library service and then use that information to determine if creating a new library district will meet those needs.

You also need to consider if districting is right for you and your

community. Creating a new library district is time consuming and difficult. Ask yourselves if you are willing to put in the time and effort involved in the process. Remember that at any time during this districting process, you can call on the State Library for help.

At the end of this assessment phase, ask yourselves the following question: Is creating a library district something we want to pur-

sue? If your local situation makes a successful districting effort unlikely, or if you are not ready to put in the effort needed to create a library district, look at other alternatives for improving library services. If districting is a possibility and you are willing to do the work, then you are ready for the formal planning phase.

Tasks of the Assessment Phase

There are ten tasks that need to be completed during the assessment phase. We've simplified the process by listing them numerically. Make sure you've addressed these ten tasks. The order in which you do them is not always important. We'll look at each one in detail later. To keep things straight, we have used an alpha/numeric code for the different tasks. We will use the first letter of phase we are in, so in this case tasks are labeled A for assessment.

A1. Determine if there is a perceived need for a library dis-

trict through informal conversations with members of the community.

A2. Form a group of supporters to plan and carry out the assessment phase.

A3. Create a written vision statement of what a library district could provide.

A4. Make a preliminary decision about what geographical area will be covered by the library district and about how the district will relate to any existing public library entities within or near this area.

A5. Assess the potential costs for the district.

A6. Make formal presentations about library districting to community organizations.

A7. Identify and contact potential supporters of the library district idea.

A8. Identify potential opponents of the library district idea.

A9. Give a formal committee the task of pursuing the library district process.

Task A One: Conversations about Library Services.

Library districting efforts are about improving current public library service. In some cases, public library service is non-existent, because there is no public library that is easily accessible. In other cases, libraries must charge an annual use fee for certain patrons who do not live in the county. And sometimes libraries do not have the tax

base they need to provide adequate library service. In any of these examples, library districts may help. A districting effort that consolidates two or more libraries can often create better library service by eliminating duplication of services and creating economies of scale.

You and others in the community may feel the need to improve library service, but you should assess public interest. You might think of public library service as a public good, but others in the community may not feel this way. This is particularly true when tax dollars are involved.

Task A One: Conversations about Library Services. (continued)

Informal conversations about improving library service should become more deliberate. Talk about library service with your friends or in the groups to which you belong. Do other people join in the conversation, or is the subject quickly changed? Typically if there is a perceived need, informal contacts will lead to the telling of “horror stories” about the lack of access to library service or about inadequate service. These people will often volunteer to help you.

From the beginning, all libraries and government officials within the proposed district area should be kept informed about the assessment process. This includes library boards, library staff, city councils and/or county commissioners. Objections or even indifference from any of these groups could be fatal to the districting process. If at all possible, encourage these people (particularly board members) to take a leading role in the districting efforts.

Find out about the history of library services in your area. If there is no library now, was there ever a library? If so, why did it close? If there is a library, is there anything in its history that would indicate problems for a districting effort? Is there any history of antagonism among libraries in the area?

Task A Two: Forming a Group.

You need a group of people, rather than an individual, to assess the viability of districting. A library board should be involved in this group, but other members in the community like local leaders, business people, school officials, etc. must be involved.

This group will do most of the work of the Assessment Phase. They should create a plan and time line for carrying out this part of the project. The plan doesn't have to be detailed; it simply needs to list the tasks to be done and an approximate time by which tasks should be

completed. At the end of this section, we have included an Assessment Phase checklist. You can use this checklist as is or modify it to meet your needs.

Task A Three: Creating a Vision.

The group needs to create a vision statement for the proposed library district. As you move further into the assessment phase, you must go beyond the general idea of improving library services. It is vital that you develop a specific vision of what good public library service looks like for your community. Your vision depends upon your community. In some communities the vision will emphasize children; in others it may be retired adults. When you develop a vision for the library district, you must consider your community. If you are not developing a vision in tune with the

needs of your community, you will not be successful in your efforts.

How can you begin to develop a vision of what a library district might mean for your community? Visit libraries in similar communities and talk to librarians and board members. These visits will make you aware of what is possible in similar situations.

Contact the Montana State Library to find out future plans for libraries across the state or even the nation. This wider vision may help your districting effort.

Access to information is increasingly important in our society. People who are not being served by public libraries will be left behind educationally and economically. It is important that communities make decisions about library services from this perspective.

Holding public meetings can help identify a vision as well. You can ask people to identify what kinds of services they would like to have from a new library district. Try this exercise. Ask people to brainstorm what library services they would like to have within the next ten

Task A Three: Creating a Vision (continued).

years. Services can be prioritized and the vision statement written on the priorities of the community. Attendance at public meetings is sporadic, so be sure and use a variety of ways to find out what the community needs.

When you have collected the information you need, write a vision statement. Use general terms and do not promise particular services. Here are some examples of vision statements that other districts have used:

- Children in our community will have easy access to information they need for their education and recreational activities.
- The library will promote life-long reading habits.
- Adults will have access to information that will help them in their home and business enterprises.

- Through the library district, our community members will access information from around the world.

The statement may then include potential services, stated as possibilities. For example:

- To reach people throughout the service area, the district library may use bookmobiles or books-by-mail.
- The district library may contain materials in a variety of formats, e.g. print, video, and computer accessible information.
- The library may serve as a gateway to electronic networks.

Your vision statement can focus on the expansion of existing library services or the offering of new services.

Use clear and concise language, when writing your vision statement.

It should fit on a single sheet of paper and should be no more than a few paragraphs long. This statement should be used frequently throughout the districting project. Make it positive and highly readable. Reproduce the vision statement on high quality paper and make it graphically attractive. This statement will be one of the most important ways in which library district supporters will show their enthusiasm for creating a district.

Distributing the vision statement will probably be the first truly “public” act of the group that is leading the districting effort. The library board(s) should officially adopt the statement. It should then be sent to the local paper along with a story about the assessment process that the group is conducting. The story should include a way of contacting the group for comments.

Task A Four: Preliminary Districting Decisions.

Now you should begin making preliminary decisions about what the proposed library district will look like. *Assessment Phase Form D: Geographical/Social Analysis* at the end of this section will help you gather data about the area.

Look at every possible option for providing service for your community. In general larger districts can provide better library services, since they have a stronger financial base and there will be less duplication of services. For communities located far from an existing library, it might be possible for a district to

provide better service through a branch, bookmobile, or books-by-mail program.

Montana Code Annotated 22-1-701 states that the territory within a new library district must contain a taxable value of at least \$5 million. Check to see if your proposed district meets this requirement.

The county clerk can usually give the group information about the assessed value of a proposed district. If the proposed district doesn't meet this requirement explore other options, such as increasing the boundaries or asking an exist-

ing library to join you.

If the proposed district surrounds or is contiguous to other public libraries' service area, confer with those library boards. At this point boards may not be willing to commit to major changes in their operations, but they may be willing to examine possible options in working with a new district. Once they have decided that a new district may benefit them, the library board may be willing to take a leading role in the project.

When planning your district boundaries, look at social and

Task A Four: Preliminary Districting Decisions (continued).

geographical patterns that might affect the new district. Mapping can help you in this process. Begin with a high quality map of the county or counties involved. Mark cities, schools, libraries, and library branches on the map.

Figure out the patterns of travel within and outside of the potential district by using topographical and road maps. Look at the natural barriers in your area — geographical features such as mountains and rivers. What places are easy to get to; what places are more difficult to reach? Are some parts of the potential district connected to areas outside the district?

Work with your county and/or city clerk to discover the boundaries of other districts, such as weed, mosquito, school, fire, etc. The counties and the Department of Revenue like new districts to follow these established districts' lines. It is best to work with local government officials when determining logical boundaries. However, remember to consider library service needs. Sometimes existing district lines do not make sense when it comes to providing quality library services.

Begin evaluating the various alternatives, once you have finished mapping the potential district area.

Once you have gathered and analyzed this information, think about what it will mean for a districting project. Different social and economic patterns may make one form of districting project preferable to another. Look at the various options open to you. There are six alternatives for creating a public

library district. Each of these has advantages and disadvantages.

- a) Establishment. Territory that contains no library can be formed into a library district. The new district can set up its own library and provide services itself. Advantage to this method is that the new district has a great deal of control over the service it will provide. Disadvantages are that setting up a new library takes a tremendous amount of work. If there are other libraries in the area, there may be difficulties working out reciprocal arrangements.
- b) Establishment/Contract Service. Territory that contains no library can be formed into a library district, but the new district does not provide services itself. Instead it contracts with an existing library to provide services to its residents. Advantage of this system is that the new district does not have to set up its own library. Disadvantages are that the district must negotiate a contract with a library that does provide services. This gives it less control and at times there may be major conflicts between the district and the contracting library.
- c) Establishment/Existing Library. Territory that includes one existing city or county library can be formed into a district that serves the city or county and surrounding area. Advantages of this option are that the district does not have to set up a new library, and the district controls the services. Disadvantages in the city

library scenario are that "rural" residents may feel that the city controls all of the services and that the district is a way of making rural residents pay for city services. This would not necessarily be true in the case of a county library becoming a district, since all residents pay county taxes.

- d) Establishment/City Library Combination. Territory that includes two or more city libraries can be formed into a district that includes untaxed territory that connects the cities together. Advantages of this option are that the district does not have to set up a new library, and the district controls the services. Disadvantages are that much work will be required to coordinate the services between the branches and to assure that the different communities feel that they are treated fairly.
- e) Establishment/County Library Combination. Territory that includes two or more county libraries can be formed into a district. Advantages of this option are that the district does not have to set up a new library, and the district controls the services. Disadvantages are that the two counties must work through their different government structures and find common ground to negotiate a district. Much work will be required to coordinate services and to assure that the different communities feel that they are treated fairly.

Task A Four: Preliminary Districting Decisions (continued).

f) Establishment/County-City Library Combination. Territory that includes one or more county libraries and one or more city libraries can be formed into a district. Advantages of this option are that the district does not have to set up a new library, and the district controls the services. Disadvantages are that the county and city must work through their different government structures

and find common ground to negotiate a district. Much work will be required to coordinate services and to assure that the different communities feel that they are treated fairly.

Working in stages. There may be political or legal advantages to working through a district creation. Examine alternative methods of achieving the same objective during the assessment stage.

Examine all possibilities. Any possibility that meets the requirements of Montana law should be considered. [See MCA 22-1-701 through 22-1-711 in *Addendum A*.] Assess the advantages and disadvantages of each option. [*Assessment Phase Form E: Districting Option Assessment* at the end of this section can help.] The result of task four should be a preliminary description of a possible district.

Task A Five: Cost Assessments.

You can't give an accurate estimate of operational costs for your area at this stage, but you should give a range of costs. State law requires that the territory included in a public library district contain a taxable value of at least \$5 million. Refer to MCA 15-10-420 for information about the maximum levy for a library district operational budget.

Calculate a somewhat more accurate figure for cost by examining the statistics for libraries serving similar size populations. The State Library publishes statistics for Montana public libraries annually. Average expenditures per capita are calculated for libraries in various size categories. Multiply this per capita figure by the population being served in the proposed district to figure out what a typical district of that size spends for service. Additional costs to consider include:

- ◆ costs of an annual trustee election

- ◆ an audit
- ◆ bookkeeping
- ◆ building costs if they are assumed by the district – which includes lease or purchase, repair and maintenance, utilities, snow removal, landscape, janitorial services, etc.
- ◆ personnel administration costs including salaries, insurance and retirement, along with other benefits.

Caution: It is difficult to give accurate figures on the operational costs for a new district. Figures at best will be inexact, so when discussing operational costs give a range of costs rather than a specific cost. If supporters mention a specific cost, people will assume that this figure is the one that must be raised. Later on in the districting process, you will be able to provide more accurate figures to the public.

If the new district will have to purchase, build, or extensively re-

model a building in order to provide district services, the exploratory group should include these costs in the total cost estimate as capital costs. Capital costs are the costs of buying or building a library facility. These costs may be raised through bond issues or as part of a depreciation fund. [See MCA 22-1-707]. If there will be major capital costs in beginning the library district, state these costs openly and honestly in any estimate of the district's total costs. (Opponents of the districting effort will certainly include these costs in their estimates, so it's best to be open about all costs.)

The issue of costs is usually one of the most difficult aspects of promoting a new library district. Be open and aboveboard when discussing the costs of a library district and how money will be raised through property taxes, but relate the cost of library services to the value people will receive from those services.

Task A Six: Presenting the Idea to the Community.

Begin approaching community groups, once you have identified an interest in districting and you have defined your vision. Ask to be given time at the business meetings of service clubs--such as the Kiwanis and the Rotary — as well as educational organizations — such as the school board and Parent Teacher Association (PTA). Tell these people what you have been thinking about. Present your vision, but be honest about the costs. Talk about tax-supported library service.

Try to take at least two people to each group: one to speak and one to record what is said. After the meeting, look at recorded questions and comments. Count the

ones that seem positive and the ones that seem negative. Analyze the meeting by answering the questions who said what, what was said, what wasn't said, and why was it said. This is subjective, but will add to the value of counting the number of positive versus negative comments. Based on both your objective and subjective analysis of the meeting, determine whether or not creating a library district is a possibility. [Refer to *Assessment Phase Form A: Group/Individual Meeting Analysis* at the end of this section.]

You will need to continue meeting with community groups, as you continue the assessment and planning phases. Begin with those

who are likely to be the most positive. You will build your own confidence and you will have a reality check on the prospects of success. If organizations that normally support the library are not doing so, then your chances of succeeding are not good.

If you find support where it should be, the next step is to see if there is support in less likely places. Talk to organizations that do not represent educational or community improvement interests. You will learn whether there is adequate support to proceed, and you will begin identifying supporters and opponents to the effort.

Task A Seven: Identifying Supporters.

General Supporters. Individuals will begin to identify themselves as supporters, as you work through the Needs Assessment and Visioning task. Keep the names, addresses, and telephone numbers of these people in a file or computerized database.

Determine if you will have adequate volunteer help to carry out the effort. You will need your community's help to succeed. Ask for potential volunteers to sign up, as you meet with supportive groups. Have a sign-up sheet at the library and a sign asking for volunteers to help with the districting effort. A good number of volunteers is a sign of support in the community. If there are few people willing to sign up, there may

be inadequate community support to proceed.

Ask potential volunteers for their name, address, email address, and telephone number. You should also ask if they have specific skills that would be useful in the districting effort. Such skills might include computer skills, writing, graphic arts, public speaking, or organizational skills. [Refer to *Assessment Phase Form B: Volunteer Signup* at the end of this section.]

Opinion Leader Supporters. Seek opinion leader supporters, as well as general supporters. In general, community leaders who support other educational and governmental services will be most likely to support a districting effort. These people tend to look to the future of the

community and are generally considered to be "progressive." Contact these people individually.

Opinion leader supporters will be drawn from the following groups:

Political leaders, such as city council members, county commissioners, school board members, and legislators;

Business leaders, such as the managers of the leading companies, heads of the chambers of commerce, bankers, and leading representatives from farm, mining, ranching, or timber industry associations;

Media leaders, such as newspaper editors, publishers, and the station managers of local radio and television stations;

Task A Seven: Identifying Supporters (continued).

Educational leaders, such as school superintendents, presidents of the local teachers' association; and prominent teachers;

Social leaders, such as church leaders and the heads of important community groups and service organizations. Other social leaders may not hold any official position in the community, but are generally seen as a powerful force in community life.

The spouses of these leaders may also become important opinion leader supporters in a districting effort.

Begin searching for opinion leader supporters by listing all of the important opinion leaders in your community by name. After your

group has created this list, make an initial assessment of whether or not each person is likely to support the project, oppose the project or will be neutral. [Refer to *Assessment Phase Form C: Opinion Leaders* at the end of this section.]

Contact those who you think are likely to be supportive, and then those who you feel will be neutral. Do this individually and by appointment. Explain what you are considering and ask the person whether they would be likely to support such an effort. Assure them that their comments will be kept confidential, if that seems necessary. Take notes at the meeting, if they are comfortable with the idea.

Compare notes after the meeting. If the person did not want you to

take notes, write down your impressions of the meeting as soon as possible. Make an assessment of the person's support level:

- ♦ Very Supportive: will speak for the effort and actively work for it.
- ♦ Supportive: will speak for the effort, but not work for it.
- ♦ Neutral: will not speak for or against the effort.
- ♦ Opposed: will speak against the effort.
- ♦ Very Opposed: will speak against the effort and actively work against it.

Good support from your community's opinion leaders should encourage you to continue with the effort.

Task A Eight: Identifying Opponents.

Identify potential opponents of the districting effort as you identify supporters. When you are identifying opponents focus on those who are community opinion leaders or who represent organized groups. Community leaders who are most likely to oppose a districting effort are those who oppose taxes and tax supported services in general. They may do this out of concern about their own taxes or they may oppose taxes on principle. Other community leaders are not opposed to taxes in general, but may see a new district as a threat to other local government services they view as more vital.

Whether you should contact opinion leaders who you believe will oppose the districting effort at this point is a political decision that will depend to a large extent on what you know about the person and the community. In some cases, an opinion leader may become less opposed to a project if contacted. S/he may see the contact as a sign of respect. On the other hand if you contact opponents and you continue to work on the project, they may see that as a sign that you disregarded their opinions.

Contacting opponents may give them more time to organize against a districting effort. Keep in mind; some people that you think will op-

pose the effort may surprise you. Public libraries carry a tremendous amount of good will in a democracy. People who do not support other forms of tax-supported services often are very favorable to public libraries.

Use the same interviewing process when speaking with those who support, oppose, or are neutral. You are simply seeking information. Do not argue with those who say they are opposed to a library district, but offer to give them more information if they wish it.

The project is probably viable and you will want to proceed, if you find that the opposition to it is weak.

Task A Nine: Recruit New Group Members.

Once you have found support and interest for a district, recruit new members who can help the original group do the work necessary to create a library district. One of the five library board members from each library involved must make a strong commitment to the project and no board members should oppose it. ***If strong support is not available from the existing library board(s), the districting project will almost certainly not work.*** Other community members should be included in the group.

It is essential that the library director and other staff support the project. Staff members often fear that districting may threaten their employment or their benefits. Be honest with the staff on these points. In some cases, districting will have little effect on the employment or working conditions of the staff. In other cases, districting may have very serious implications for staff.

It is probably too early to determine exactly how the districting effort will affect staff members, but you need to deal with the staff in good faith. State up-front that the districting project will make major changes in the conditions of their employment, if that is the case. Assure staff that their concerns will be taken into account as the districting process moves forward. Include staff representatives in the group, but ask them to be open-minded about the process.

Educate potential group members about the commitment they are making before asking them to join the group. Districting projects involve running an election and will entail a great deal of work. Because of this, group members should have a complete understanding of the process. Hold a meeting with all potential members of a group. State Library personnel can talk to the group about the districting process and the many steps that need to be taken. Have someone from another districting project talk about their experience, as they can give potential members a more accurate picture of what happens.

Ask people to make a commitment at the end of the meeting. Another sign of a successful districting project is the formation of a good group that includes some of the community's opinion leaders.

Reality Checks. The Assessment Phase is the time to determine whether a successful districting effort is possible and to make some preliminary decisions about what a district might look like. Make time for reality checks throughout the entire districting process.

Reality checks should be group activities that can be included on the agendas of regular meetings or they can be the sole purpose of a meeting. When conducting a reality

check, review the list of tasks that should have been completed. Ask whether or not the tasks have been completed and whether the information gained indicates that a districting effort is likely to be successful. Examine documentation that has been developed as part of the process.

Ask people about their own energy level and enthusiasm for the project. It is especially important to check with library board members to see about their level of commitment.

If a reality check is positive, then it will encourage the group to continue with the project. If the reality check indicates that there are problems, then it may indicate that the group needs to change direction, slow down, or that a district library is not possible under present conditions. Find this out during the Assessment Phase, before a great deal of time, energy, and money is poured into the effort. If the Assessment Phase makes it clear that a districting effort is likely to fail, discuss other options for obtaining or improving library services. These options can be explored with State Library personnel.

Assessment Phase: Checklist

- ☐ Talked about the library in informal conversations
- ☐ Contacted the State Library
- ☐ Know the library history of our community
- ☐ Contacted all library boards within the potential district
- ☐ Formed an exploratory group
- ☐ Created a plan for the Assessment Phase
- ☐ Developed a vision statement for the library district
- ☐ Established a formal work group
- ☐ Explored districting options
- ☐ Considered the geographical and social factors that might affect the library district
- ☐ Chose tentative boundaries for the district.
- ☐ Developed a cost range for the district, including both operational and capital costs
- ☐ Presented the vision to supportive community groups
- ☐ Listed potential opinion leader supporters for the district
- ☐ Listed potential opponents of the district
- ☐ Decided whether or not to contact potential opponents of the district.

Assessment Phase Form A: Group/Individual Meeting Analysis

Group/Individual: _____

Date: _____

Important Questions Asked by the Person(s) We Met:

1.

2.

3.

4.

Number of Positive Questions/Comments:

Number of Negative Questions/Comments:

Impressions of Meeting:

Based on this meeting, we would judge this group/individual to be:

- ☐ Very Supportive: Will speak for the effort and actively work for it.
- ☐ Supportive: Will speak for the effort, but not work for it.
- ☐ Neutral: Will not speak for or against the effort.
- ☐ Opposed: Will speak against the effort.
- ☐ Very Opposed: Will speak against the effort and actively work against it.

Assessment Phase Form B: Volunteer Sign-Up

[illegible]

Assessment Phase Form C: Opinion Leaders

Political Leaders:		
<u>Name</u>	<u>Community Position</u>	<u>Positive/Negative</u>

Business Leaders:		
<u>Name</u>	<u>Community Position</u>	<u>Positive/Negative</u>

Educational Leaders:		
<u>Name</u>	<u>Community Position</u>	<u>Positive/Negative</u>

Social Leaders:		
<u>Name</u>	<u>Community Position</u>	<u>Positive/Negative</u>

Assessment Phase Form D: Geographical/Social Analysis

Option: _____ Population of proposed district: _____

Assessment valuation of the proposed district: _____

County/Counties within which the district will lie:

Largest cities in the district with their populations:

Reservations, large federal or state land areas within the district:

City Libraries in the district:

School Districts within county/counties:

Other taxing district within county/counties:

Nearest district library/libraries:

Nearest city over 25,000 population outside of the district:

Major highways in the district:

Where do most people in this district do their shopping? _____

**Assessment Phase Form E:
Districting Option Assessment**

Kind of Option (circle):	Establishment	Establishment/Combination
Description of Option:		
Advantages of Option:		
Disadvantages of Options:		
Barriers to Implementing Option:		
Methods by Which Barriers Can be Overcome:		

The Planning Phase

The planning phase is the next step in the districting process after you have determined that creating a district is possible and beneficial to the community. This is more formal than the assessment phase

of the process. The depth of planning required will depend upon the size of changes you expect. Determine how much planning is necessary for your project. The fewer surprises you experience in the

districting project, the more likely its success. Planning helps eliminate surprises.

The Tasks of the Planning Phase

This is a time of preparation. You will decide what your library district will look like, and you will gather information that will allow the district to be created. Some of this information will be used after the district has been created, but knowing what needs to be done and having plans in advance will make the hectic first few months easier for everyone involved. The group's efforts in the planning phase will culminate in the official actions of the new district's library board during the first few weeks of operation.

A number of tasks need to be accomplished during the planning phase. You do not have to do

these in this order, but you do need to work through the following tasks:

- P1. "Plan to plan." Decide how to do the planning necessary to create and operate a district.
- P2. Plan how to carry out public relations to build support for the districting effort.
- P3. Coordinate your efforts with local government officials who will have responsibilities in creating the new district.
- P4. Plan the library services offered by the new district.
- P5. Begin planning for the administrative structure (board structure and by-laws, etc.) of the new district.

P6. Recommend personnel policies for the new district.

P7. Plan the library facilities for the new district.

P8. Make an accurate estimate of first year and long-range costs for the new district and how the district will handle the cost of its first year operations.

P9. Make final decisions about the geographic area that will be included in the new district.

Task P One: Planning to Plan.

The first step is to make a decision about how you will move ahead. The planning phase can be a very difficult time because it may involve delicate negotiations between boards, staff members, city councils, community organizations, and individuals.

Write down the plan for moving through this phase. It is essential. The plan should identify:

- ◆ What steps will be taken and when
- ◆ Who will be responsible for various roles in the process
- ◆ How information will be gathered
- ◆ How decisions will be made
- ◆ Who will act as spokespersons for the group
- ◆ When meetings will be held

◆ How the process will be evaluated

◆ How and when reality checks will be made

At the end of this section, a checklist of activities is given. Use this checklist as a starting point. [Also refer to *Planning Phase Form A: Plan to Plan* at the end of this section.]

Task P Two: Planning Public Relations.

The importance of public relations cannot be overemphasized. A public relations program is more than just publicity. It involves choosing one or two important messages and then designing a systematic program to carry the message(s) to the public. The way that the message is conveyed is vital. Brochures, newspaper articles, etc. are essential, but it is also important to make many personal contacts.

Library board members must participate in the public relations work for the new district. Board members must show their support for the new district by speaking out to individuals and to groups.

Repetition of the message is vital. Everyone speaking for the districting effort needs to say the same thing. Use the same slogan and graphics repeatedly in brochures and other media, so that the message becomes identifiable in the public mind.

Make the message a part of well attended community events that relate to community pride. Plan to make the districting effort visible at such activities as county fairs, pa-

rades, and other special community events.

Endorsements by both groups and individuals are vital. Groups that work with children, such as 4-H, Girl and Boy Scouts, are likely to endorse efforts to improve library services. Other groups like PTO's, school boards, etc. that emphasize community involvement and education are likely to be supportive. Seek out prominent community leaders for endorsements. Use the list of supportive contacts and groups that you developed in the assessment phase. Some groups may be willing to either pay for advertisements announcing their endorsements, or to write a letter to the editor announcing their support. Develop a schedule for seeking and releasing news of endorsements throughout the districting project.

Assure that public relations are carried out in a systematic and effective way by developing and implementing a public relations plan. Ideally, a public relations professional should do the plan.

Include the following items in the public relations plan:

- Message(s) that will be emphasized in the public relations campaign
- Slogan(s) that will carry the message
- Graphics that will carry the message
- Brochures that will carry the message
- Calendar of events and activities that will carry the message
- Lists of local media outlets, including contact persons that will be informed of districting activities.
- Community organizations that will be contacted
- Methods for soliciting and publicizing endorsements for creating a library district
- Training program for spokespersons (particularly board members) to speak for the districting project

[Refer to *Planning Phase Form B: Public Relations Plan* at the end of this section.]

Task P Three: Coordinating Government Participation.

Keep local government officials informed throughout the process. Educate local officials about their responsibilities and be prepared to negotiate about how the process will be carried out. We will discuss the responsibilities of city and county governments next.

City Government. Working with city councils is important. City council members are opinion leaders in the community, so they must be informed about the districting process. Talk to city council members about the district and how it affects their library. Educate them about

the various options open to them and the advantages and disadvantages of each.

- ♦ *Establishment.* The city council and the new library district must work together to resolve many issues. It is imperative that a city council of an established library

Task P Three: Coordinating Government Participation. (cont.)

be included in the planning process for a district that would like to include that city. If the current city library is funded through the general fund, the city council can decide to reduce property taxes by the amount currently paid for library services if the election passes. The city council can also greatly influence the ease of transition from a city library to a district library. If the city owns the library facility, it must agree to continued use of the library building. The council can also decide to provide transitional funding during the first year of the district's existence. These powers influence the operation of the district during its crucial first year of service.

Keep city councils informed about the process and consider their attitude about the process when deciding whether the city should be included in the proposed district.

Conduct negotiations on the continued use of city library facilities, of transitional funding, and of the reduction of the city budget for the portion used for library services during the planning phase. You can find more information on these negotiations later in this section.

Include sympathetic members of the council or sympathetic city clerks in the group for the district. It is the best way to work with city governments. Doing this assures the council that it will receive accurate information about the group's plans, and it gives the districting effort an informed advocate at city council meetings. If this cannot be

done, work hard to keep the council informed about your work by sending the council the group's meeting reports. Make an effort to report to the city council meetings on a regular basis.

County Government. County government officials carry a great deal of political power and are responsible for carrying out many of the legal activities of the districting process. County commissioners are responsible for receiving the petition for establishment, holding a hearing, carrying out some or all election procedures, and issuing the order that the district is established if the election is successful. After a successful election, county commissioners appoint the first district board.

Include county officials in the group. If they do not have the time or interest to do this, you need to educate them about the process and their role in it.

County commissioners and the county clerk are probably not aware of their responsibilities in this matter. Meet with both the commissioners and the county clerk to discuss the districting process. County officials must understand their legal responsibilities for carrying out and paying for election procedures. Be prepared to work closely with the county attorney. Interpretations of state district law requirements, election requirements, and standard practices of the county commission may differ in some manner from county to county. It is important to discuss and resolve differing legal points of

view to prevent them from becoming roadblocks to the district process.

Begin the education process with the county clerk, since this person will do most of the work. Work hard to keep this relationship and others cordial. Have one or two people develop an on-going relationship with the county clerk. This gives the county clerk a point of contact that s/he can become comfortable with. Approaching the clerk with a larger group of people may make the clerk feel that you are trying to intimidate him/her.

Ask the county clerk for his/her advice, as s/he usually has a great deal of useful information. Be prepared to hear about the county clerk's particular issues with the process, and look for ways to compromise if problems occur.

The election's timing process can cause problems for the county when it holds the election. If proposed district boundaries do not follow voting precinct lines, it can make election procedures more complicated. To solve these problems, try conducting an election when other elections are being held or redraw district boundaries to coincide with precinct boundaries. Give the county time to budget for an election by informing them of the election date as far in advance as possible. Consider compromises if they do not drastically interfere with the districting process.

Once you have worked with the county clerk, schedule a meeting

Task P Three: Coordinating Government Participation. (cont.)

with the county commissioners to explain the process and ask for support. Send written reports to the commissioners and county clerk throughout the process. At strategic times, contact the county clerk and make oral reports at county commissioners' meetings.

The New Board of Trustees.

County commissioners appoint the board for the new district. This gives the commissioners power over the district at the beginning of its existence. Come to some understanding with the commission-

ers about whom should be appointed to the board. Usually the commissioners will be happy to receive suggestions about these appointees. They may even ask you to provide a suggested list for all positions, so have a list available and discuss this issue with the commissioners. If two or more counties are forming a district, then the counties jointly appoint the first board. After the first board members have served their respective terms, board members are elected by the public.

What if the County Commissioners Do Not Favor a Library District?

Consider whether or not to proceed. Commissioners hold a lot of power over the districting process and the first year of operation. If they are openly opposed to the idea, you may want to take the time to work with the commissioners until they are agreeable to the districting project.

Task P Four: Planning Library Services.

Turn the vision developed in the assessment phase into a practical plan for providing specific library services. A different level of planning may be needed for each kind of districting project:

- a) Establishment. Territory that contains no library can be formed into a library district. The new library district sets up its own library and provides services itself. In this case, develop a complete library plan that includes information about services to be provided during the first three to five years and the personnel and facilities that are needed to support those services.
- b) Establishment/Contract Service. Territory that contains no library can be formed into a library district. The new district does not provide services to itself, but contracts with an existing library to provide services to its resi-

dents. The existing library's long range plan will need to be modified to indicate how its contract with the district will affect its services. The new district should develop a plan for evaluating the contract services.

- c) Establishment/Existing Library. Territory that includes one existing city or county library can be formed into a district that serves the city and surrounding territory. The city or county library's plan may be used as a basis for a new long-range plan for the district.
- d) Establishment/City Library Combination. Territory that includes two or more city libraries can be formed into a district that includes untaxed territory that connects the cities together. The existing long-range plans may be used as informa-

tional documents for a new long-range plan. However, a totally new long-range plan will need to be created for the district.

- e) Establishment/County Library Combination. Territory that includes two or more county libraries can be formed into a district. The existing long-range plans may be used as informational documents for a new long-range plan. However, a totally new long-range plan will need to be created for the district.
- f) Establishment/County-City Library Combination. Territory that includes one or more county libraries and one or more city libraries can be formed into a district. The existing long-range plans may be used as informational documents for a new long-range plan. However, a totally new

Task P Four: Planning Library Services. (continued)

long-range plan will need to be created for the district.

There are a number of different models for planning which are available. Some developed for libraries; others are more general. Good models of planning include the following elements:

- ◆ A community description, focusing on community needs.
- ◆ A mission statement.
- ◆ Roles that the library district will fulfill for its community.
- ◆ Goals, broad general targets which the library should achieve.
- ◆ Objectives, by which achievement of goals is measured.
- ◆ General approaches used to accomplish the objectives.
- ◆ Activities that lead to accomplishment of the objectives.
- ◆ An evaluation method for the plan.
- ◆ A plan for updating the plan at least annually.

Contact the Montana State Library for help with planning.

Methods for Planning. The methods that you use for planning depend upon the level of planning that is required. Extensive input from the public should be sought if you are writing a new plan or making major changes to existing library services. Here are ways to gather public input:

- ◆ User surveys. Ask current users about their library use – what they like and what they would like to see changed. This

method reaches out to the most likely supporters of the new district and is relatively easy and cheap to conduct. It has the disadvantage of only reaching current users and will not reach those who might benefit most from a new district.

- ◆ Community surveys. Survey people in the community by mail or telephone about the library and potential services. This method reaches out to the whole community. Asking people about library services helps them understand the possibilities that exist with a district library. The survey also contributes to public relations for the district effort. Its disadvantage is that it is expensive and time-consuming to administer.
- ◆ Focus groups. Bring small groups (8-10 people) together to discuss library services – what they like and what they would like to have from a new district. This method is more personal, and participants are allowed to react in depth. You can target a particular audience, such as parents, community leaders, teenagers, etc. This process is time-consuming to administer and it reaches relatively few people. The results require a good deal of interpretation.
- ◆ Facilitated Community Meetings. Hold a meeting for any person who wishes to discuss the library. Facilitate the meeting, so that every person in attendance has an opportunity to express opinions. Participants

get to hear what other people are thinking and they can express their own opinions. Advertising the meeting contributes to the public relations effort of the districting project. Unfortunately turnout is often low and the information gathered does not necessarily represent a true cross-section of the community.

Use these methods throughout the planning process to gather information about the plan. An intensive planning process contributes to the public relations aspects of the districting effort, since continually asking the public for input about library services offers ownership to those services.

The value of the information gathered from these methods depends on the quality of work that has gone into each of them. Seek professional help in designing surveys. If that is not possible find help at local institutions of higher learning, which may view this kind of surveying as an ideal student project.

Task P Five: Planning Administrative Structures.

Administrative changes in the area of governance, financial management, legal services, library policies, and risk management will occur in the districting process. You should do the groundwork for these policies and procedures, even though the new board will have to finalize the changes. Some of the administrative changes that might occur are:

Name Change. In many cases, a name change will be made through the order of the county commissioners after a successful election. Any change of name should be sent to governmental agencies (such as the Internal Revenue Service, the State Library, etc.) and to major suppliers (such as book and periodical jobbers).

Board Structure. Public library districts can have five or seven members. (See Montana Code Annotated 22-1-702.) The county commission will appoint the first board. If two or more counties combine to create a library district, then the counties jointly appoint the first board. The public elects succeeding boards. You may also wish to develop a district election plan. More information about this can be found at Montana Code Annotated (MCA) 22-1-706.

Financial System. Financial systems that meet generally accepted accounting standards for local governments should be developed. Keep the procedures as simple as possible within this definition. Employ an accountant

(preferably a Certified Public Accountant) to set up the new district's financial procedures. Plan to set up accounts with financial institutions. These accounts must be in accordance with the Local Government Financial Administration and Taxation laws, MCA 7-6-201 thru 7-6-213; 7-6-609 thru 7-6-1116. You may also want to investigate the possibility of placing new district funds in the state's investment pool. More information about this can be found at MCA 17-6-204.

Legal Representation. Consider how you will employ legal counsel. It is important to ask for a legal opinion when establishing new policies and procedures. Normally districts only hire attorneys on an as-needed basis. However, it is useful to find an attorney to work with throughout the districting process.

Library Policies. Develop by-laws for the board. You need policies in the areas of collection development, circulation, hours of operation, emergency procedures, and programming for adults and children. You may also need policies dealing with branch operations, use of meeting rooms and other resources, as applicable. These policies cannot be finalized until a district board is appointed. Voters or petitioners may be interested in how the new district will operate, which is where drafts of your policies can help.

Risk Management and Insurance. Consider errors or omission insurance for the district board, along with liability, theft, fire and damage insurance for the building.

Expected Administrative Changes by Type of Project. The amount of change depends upon the kind of districting project being undertaken. Here are some changes to anticipate:

- a) **Establishment.** Territory that contains no library is formed into a library district. The new district sets up its own library and provides services itself. To do: determine board structure, establish a complete bookkeeping system and establish financial accounts in accordance with MCA 7-6-609 through 7-6-616. Determine whom to employ for legal counsel, when necessary and begin drafting board by-laws and library policies.
- b) **Establishment/Contract Section.** Territory that contains no library is formed into a library district. The new district contracts with an existing library to provide services to its residents. To do: have an attorney examine the contract between the existing library and the new district and draft board by-laws.
- c) **Establishment/Existing Library.** Territory that includes one existing city or county library can be formed into a district that serves the city and surrounding territory. To do: determine board structure, establish a complete bookkeeping system, and establish financial accounts in accordance with MCA 7-6-609 through 7-6-616. Determine how you will employ legal counsel, revise board by-laws and review and modify library poli-

Task P Five: Planning Administrative Structures. (continued)

cies to accommodate the needs of new district customers.

- d) Establishment/City Library Combination. Territory that includes two or more city libraries can be formed into a district that includes untaxed territory that connects the cities together. To do: determine board structure, establish a complete bookkeeping system, and establish financial accounts in accordance with MCA 7-6-609 through 7-6-616. Determine how you will employ legal counsel, revise board by-laws and review and modify library policies to accom-

modate the needs of new district customers.

- e) Establishment/County Library Combination. Territory that includes two or more county libraries can be formed into a district. To do: determine board structure, establish a complete bookkeeping system, and establish financial accounts in accordance with MCA 7-6-609 through 7-6-616. Determine how you will employ legal counsel, revise board by-laws and review and modify library policies to accommodate the needs of new district customers.

- f) Establishment/County-City Library Combination. Territory that includes one or more county libraries and one or more city libraries can be formed into a district. To do: determine board structure, establish a complete bookkeeping system, and establish financial accounts in accordance with MCA 7-6-609 through 7-6-616. Determine how you will employ legal counsel, revise board by-laws and review and modify library policies to accommodate the needs of new district customers.

Task P Six: Planning Personnel Issues.

This is one of the most important areas of decision-making. Changes in personnel policies range from none to completely new policies. Here are the different kinds of changes that can occur.

Little or No Change. This occurs in the following instances:

- ◆ When all libraries in the new district were already operating under the same administrative unity.
- ◆ When the new district does not operate a library, but contracts with an existing library for services.

In these cases, all the district's personnel are employed under a previously established library or

administrative structure. Salaries and benefits remain the same. If the name doesn't change, then no further work is needed.

If the name is changed, then the new name will need to be reported to federal and state income tax agencies, the state insurance fund for workers compensation, and the state department of employment for unemployment insurance coverage. Insurance and other companies providing personnel benefits will need to be notified of the legal name change.

Creating a New Personnel System. This occurs:

- ◆ When a new district is established where no library existed before, and the district will operate its own library.

Consider a salary structure by checking with other libraries in the area to see what they are paying for particular jobs. Look at similar jobs in your community, as you will be competing with other community employers for employees.

Establish the following required accounts:

- ◆ Federal income tax accounts
- ◆ State income tax accounts
- ◆ Social security
- ◆ Workers compensation
- ◆ Unemployment insurance

Examine the following as possible benefits:

- ◆ Health insurance
- ◆ Life insurance

Task P Six: Planning Personnel Issues. (continued)

- ◆ Retirement usually through the Public Employee Retirement Administration (PERA)

Final decisions will be made by the new board, based upon recommendations of the group.

Transfer from a City/County to a District Personnel System. This occurs:

When a city or county library becomes a district library.

Establish the following required accounts:

- ◆ Federal income tax accounts
- ◆ State income tax accounts
- ◆ Social security
- ◆ Workers compensation
- ◆ Unemployment insurance

Examine the following as possible benefits:

- ◆ Health insurance
- ◆ Life insurance
- ◆ Retirement usually through the Public Employee Retirement Administration (PERA)

You must reach agreements with the city or county about transferring employees from city or county to district payroll. Avoid confusion by having a written memorandum of agreement with the city or county. [*Planning Phase Form C: Sample Memorandum of Agreement with City* at the end of this section.]

Combining Personnel Policies.

This occurs:

- ◆ When two or more existing libraries that have not shared a common administrative structure combine or consolidate.

Decide what personnel policies to recommend to the new district board. Develop a plan for integrating various staffs of existing libraries into one staff for a new district. Negotiate this before attempting to legally create the district.

Changes in personnel can involve very delicate negotiations. Staff members who once worked as library directors will have to work under the supervision of a district library director. The combination of a number of libraries may mean that some employees may lose benefits, because a district library may not be able to afford insurance.

Examine potential loss of autonomy and benefits of personnel at each of the libraries that are thinking of joining the district. The prospect of losing autonomy or benefits may cause employees to oppose the districting effort, thereby endangering the process. Remember current staff will be understandably concerned about changes planned for library service for now and the future. Make every effort to insure minimal changes to employees but keep in mind the goals of the changes.

Compare what the “member” libraries of the new district provide for salary and benefit packages to determine what salary and benefits should be offered in the new district. [See *Planning Phase Form D:*

Personnel Comparisons at the end of this section.]

Begin the administrative work necessary to transfer income tax accounts, social security, workers compensation, unemployment, and other accounts as necessary.

Only the new district board will be able to finalize any of these policies. The group makes recommendations to the board.

General Information on Personnel Administration and Benefits. It is not possible to cover all aspects of personnel administration for a new district, but the following might be useful:

Federal Income Tax, Social Security and Medicare. Register as an employer with the Internal Revenue Service and file W-4 forms for all employees. Upon doing so, you will receive a federal tax number and deposit coupon book. Payments for federal income tax withholding, social security and Medicare are made using this book. For your convenience, you can apply for a Federal Identification Number by registering with the State of Montana. To do so call 1-800-550-1513 or write to Employment Information Center at P.O. Box 1728 Helena, MT 59620-1728. You can also contact the regional Internal Revenue Service Office at 1-800-829-1040.

The new district will need to fill out and keep on file “Employment Eligibility Verification: (I-9 Form) forms for the Department of Immigration and Naturalization. These

Task P Six: Planning Personnel Issues. (continued)

forms are available by calling 1-800-375-5283 or you can download them from the Department's website at <http://www.ins.usdoj.gov/graphics/formsfee/forms/index.htm>.

State Income Tax. Register as an employer with the State of Montana Department of Revenue. Upon doing so, you will receive a state income tax number. Call 1-800-550-1513 or write to Employment Information Center, P.O. Box 1728, Helena, MT 59620-1728 for more information.

Worker's Compensation. Register as an employer with the Department of Labor and Industry and begin paying for worker's compen-

sation. For more information contact the Department at 1-800-332-6102 or (406) 444-6541. The Department of Labor and Industry will work with you on determining the amount to be paid for worker's compensation.

Unemployment Insurance. Purchase unemployment insurance. For information about purchasing unemployment insurance, contact the Unemployment Insurance Division of the Department of Labor and Industry. The address is Montana Unemployment Insurance Fund, P.O. Box 1728, Helena, MT 59420-1728. Or you can contact them by phone at (406) 444-3783.

Optional Benefits.

Public Employees Retirement Administration (PERA). PERA is the retirement program for Montana state employees. Local government entities can also become members of PERA. You are not required to participate, but if you wish to look at this option contact the Montana Public Employee Retirement Administration at (406) 444-3154 or 1-877-ASK-PERB (1-877-275-7372).

Health Insurance. Contact the county clerk for ideas on how to obtain health and/or life insurance. The district may be unable to pay for these benefits on its own. Consider partnering with another entity to obtain these benefits.

Task P Seven: Planning for Facilities.

Planning for facilities depends upon what kind of districting project is being contemplated. Planning for facilities falls into two categories: obtaining a new facility or securing the present library facility.

- ◆ **New Facilities.** Will the new district need a new facility? This could be the case in a district where there is no existing library, there is a need for a branch, or the current facility is inadequate.
- ◆ **Existing Facilities.** Services can be provided out of facilities that are already being used as libraries. The group must negotiate with the city/county to secure the library building. Local governments may turn a build-

ing over to the new district. If not, the district may have to purchase the building, work out rental agreements, or find another facility. If the library is part of a local government building, the group should negotiate with the city or county about rent and utilities. These negotiations must be completed before the creation of the district, so that voters will know what the cost of the district is likely to be.

When an agreement is reached on how facilities will be transferred, a memorandum of agreement should be written with the city or county to clarify the terms of transfer, purchase or rental. [Refer to *Planning Phase Form C: Sample Memorandum of Agreement with City* at the end of this section.]

dum of Agreement with City at the end of this section.]

NOTE: Cities or counties may be willing to let a new district library stay in the old library building, while the city maintains ownership and continues to pay the utilities. This seems like a good arrangement, but you may be opening yourself up to a number of problems. Taxpayers may complain about being double taxed for the library, since they are paying district, and city or county taxes. Another possible problem is a new administration may want the district to pay rent and utilities which would lead to unexpected budget demands.

Task P Seven: Planning for Facilities. (continued)

Other Facility Expenses. Consider insurance, utility costs, maintenance and repair costs when making decisions about facilities. Seek out local opinions about the current

structure. Is it sound? Is the flooring support in accord with the building codes that apply to book shelving? What is a typical utility bill? Are there any special prob-

lems? Answer these questions before making a decision about new facilities.

Task P Eight: Determining Costs and Levy.

Determine the cost of the new district. Because you are working on plans for personnel and facilities, you should be able to make a much more accurate estimate of first year and long term costs for the new district. Montana property tax laws determine maximums that can be levied each year. **Tax laws are complicated, so contact your city clerk or recorder for help.**

Estimating the Budget for a New District. Prepare a draft first year operational budget for the new district. Estimate the costs of services and then the amount you expect to collect from non-levy sources. Non-levy income sources include gifts, fines, fees, rental payments, etc.

First Year Operations. The district will not receive money from a levy until well into the first year, so you need to plan for how you will pay for the first year.

How can the new district cope with this problem?

Continued City/County Support.

Cities/Counties are sometimes willing to continue funding the library until tax dollars are collected for district library services. Discuss this possibility with the local government. If the city or county accepts the idea, develop a memorandum of agreement. [Refer to *Planning Phase Form*

C: Sample Memorandum of Agreement with City at the end of this section.]

Current Levy. Property owners during the transition year will continue to pay current levy, which the library should receive. The old levy will be replaced by the district levy.

Other Issues:

Non-payment of Taxes. Consider the problem of non-payment of taxes when determining the levy for the new district. Find out from your county clerk, what amount is normally collected in your area. Use this figure to determine how much you will need to levy to cover your operations. For example, if 90% of the amount levied is collected, the new district's levy should be 10% higher than what is actually needed, so that what is collected will meet the needs of the library. Remember you can only do this up to the legal levy limit. Please refer to MCA 15-10-420 for more information about levies.

Cash Reserve. The new district will need to have a cash reserve. The fiscal year for a district runs from July 1 to June 30. Because tax dollars come in at various times in the year local government entities are expected to carry a cash reserve to meet their obligations. Be sure and build this cash reserve

into your operational expenses. For more information about cash reserves, contact the Montana State Library or refer to MCA 22-1-707.

Tax Increase Limitations. Current law limits the annual increase in taxes for taxing districts. The maximum increase is based on the inflation average of three years. Taxing entities can only increase the taxes by half that average inflation rate. The first year budget is the base budget, so it is best to guess high on expenses. Once the base budget is set, it will not be easy to change.

Financial Planning and Public Relations. Public financing is complicated and difficult for the public to fully understand. The group needs to create a plan for financing the district for at least the first five years of the district's life. Describe what a typical taxpayer will pay in each year of the plan. Figure out the taxes that would be assessed on houses with a taxable value of \$50,000 and \$100,000, a farm worth \$100,000, and a business with a value of \$200,000.

Someone in the group should acquire a more in-depth understanding of how taxes and tax rates are figured. The County Assessor can help him/her learn more about tax exemptions and other tax informa-

Task P Eight: Determining Costs and Levy. (continued)

tion when figuring out actual tax charges. This person can then discuss the tax implications of library districting.

NOTE: If a taxpayer wants to know how much the district will raise his/her taxes, the taxpayer should speak with the County Assessor or an individual working for the county who can calculate the figures.

Prepare a fact sheet showing the expected operational levy for each year under the plan. Explain the factors outlined above in the fact sheet. Anyone speaking for the district should understand the financial plan for the first five years. Be prepared to speak about it.

Discuss costs and services together, so the community understands the relationship between the two. Estimate replacement costs (what would it cost an individual to obtain the service if the library district did not provide it) to

highlight the potential savings a district might render.

Accompany the fact sheet on levy rates and typical tax charges with a sheet showing the typical cost of a book in a bookstore, a trip to the closest library to borrow a book, the cost of magazine subscriptions, the cost of purchasing a talking book tape, the cost of video rentals, the cost of access to electronic databases, and other information sources.

Anticipated Cash Flow. Chart the district's anticipated cash flow for the years of the districting project. Use this chart to show when you expect income and what kind of income to become available. Use it to identify grant application and other deadlines that are important for obtaining income.

Decreasing City/County Levies. Because the district will be taking over city and/or county obligations to run the library, the city and/or

county budget should probably decrease when the first district levy is budgeted. This will happen if the county/city levies a separate library levy. This levy will be replaced by the library district levy. If the county or city uses general fund dollars to pay for current library services, they have the ability to reduce the property taxes. Many voters are skeptical that the city and/or county will decrease taxes when the district begins providing its library services. Negotiate this issue with city councils and/or county commissioners. Statements from city and/or county officials indicating that they will remove or plan to remove library taxes and not merely shift them to other budget categories are necessary.

NOTE: Although the group can put together a plan for district finances, only the new district board will have the power to implement the plan.

Task P Nine: Final Districting Decisions

During the Assessment Phase, a preliminary description of the new district was made. It may have become obvious during the Planning Phase that the description needs to be modified. Determine the final boundaries of the district

with a reality check of the politics of the situation. Look at a smaller district, if a larger one simply isn't feasible. You must use your own assessment of the situation to make these decisions. Other territory can be added later.

Once you have determined your boundaries work with the county attorney to describe the boundaries using accepted legal terms.

Planning Phase: Checklist

- ☐ Written “plan to plan”
- ☐ Written public relations plan
- ☐ Met with local government to explain the district project and their role
- ☐ Met with county commissioners to discuss the districting process and their role
- ☐ Developed a plan for district services, including roles, mission statement, goals, objectives, and activities
- ☐ Plan for governance of the district library
- ☐ Plan for developing or transferring the financial books of the new library district
- ☐ Plan for setting up financial accounts for the new district
- ☐ Plan for obtaining legal counsel for the new library district
- ☐ Drafted tentative by-laws for the new library district board
- ☐ Written tentative policies for the new library district
- ☐ Investigated the cost of maintaining all current personnel benefits
- ☐ Learned about workers compensation and unemployment insurance costs
- ☐ Obtained federal and state income tax forms for employers
- ☐ Written tentative personnel policies including proposed salaries and benefits
- ☐ Written agreements with local government about the use of current building(s)
- ☐ If necessary, obtained facilities for the first year of operation
- ☐ If necessary, planned for obtaining new district library building(s)
- ☐ Developed a first year budget for the district
- ☐ Developed a plan for financing the first year of operations for the new district
- ☐ Have a five year levy projection
- ☐ Developed a fact sheet on the levy and the value of services
- ☐ Made final decision on the new library district service area

Planning Phase Form A: Plan to Plan

Date	Activity	Who?
	Plan to Plan	
	Public Relations Plan	
	District Plan	
	Administrative Procedures	
	Personnel Policies	
	Facilities	
	Financial Plan	
	Service Area	
	Election	
Regular Meeting Date:		
Reality Check Dates:		
Decision Making Procedure:		
Spokespeople:		

Planning Phase Form A: Plan to Plan (continued)
Committees

Committee: _____ **Chairperson/Telephone:** _____

Public Relations _____

Members: _____

Administration _____

Members: _____

Planning _____

Members _____

Personnel _____

Members: _____

Facilities _____

Members: _____

Finances _____

Members: _____

Election _____

Members: _____

Planning Phase Form B: Public Relations Plan

This message: _____

Slogans(s):

1. _____
2. _____

Description of Graphics (attach when drawn)

Media Outlets:

Name	Address	Telephone	Contact Person
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Training Program for spokespersons (particularly board members):

Date	Presenter	Board Members Present
_____	_____	_____
_____	_____	_____
_____	_____	_____

Planning Phase Form B: Public Relations Plan (cont.)

Community Organizations:

Name	Contact Person	Telephone	Presentation Date
------	----------------	-----------	-------------------

Endorsements:

Person/Organization	Date of Announcement	Media Outlets
---------------------	----------------------	---------------

Planning Phase Form B: Public Relations Plan (cont.)

Calendar of Events and Activities:

[illegible]

Planning Phase Form C: Sample Memorandum of Agreement with City*

Memorandum of the Understanding Between
the City of _____ and
the _____ Public Library Board of Trustees

The City Council of the City of _____ does hereby state that upon the establishment of the _____ Public Library District it intends to proceed as follows, contingent upon the agreement of the Board of Trustees of the _____ Public Library District.

Name Change. Under the order made by the County Commissioners of _____ County on [date], declaring the _____ Public Library District established, the heretofore entity known as the _____ Public Library will be known as the _____ Public Library District.

Board of Trustees. Upon the establishment of the _____ Public Library District, the Board of Trustees of the _____ will be disbanded. The first Board of Trustees of the _____ will be appointed by the County Commissioners of the following county or counties _____.

Staff. The _____ Public Library staff will be transferred for employment by the _____ Public Library District as of [date].

Staff Benefits. Upon transfer of the staff of the _____ Public Library to the _____ Public Library District, the _____ Public Library District will assume payment of all premiums for personnel benefits, according to the written personnel policy of the _____ Public Library District.

Property. Option 1. Lease: The City/County of _____ will lease the library building and the land upon which it is located for \$_____ per year to the _____ Public Library District, beginning [date]. Personal property and financial assets will be transferred to the _____ Public Library District upon its establishment.

Planning Phase Form C: Sample Memorandum of Agreement with City* (cont.)

Option 2. Sale: The City/County of _____ will sell the library building and the land upon which it is located for a sum of \$_____ to the _____ Public Library District on [date]. Personal property and financial assets will be transferred to the _____ Public Library District upon its establishment. Board of Trustees.

Option 3. Transfer: The City/County of _____ will transfer the library building, the land upon which it is located, personal property and financial assets to the _____ Public Library District upon its establishment.

Bookkeeping. The _____ Public Library District will assume all bookkeeping responsibility for its funds as of [date].

Useable Fund Balance. The City/County of _____ will make a payment to the _____ Public Library District in [month] and again after the finalization of the audit for [year] of any funds left in the city library account.

Revenues. Option 1: The City/County of _____ agrees to support the library with a budget of \$_____ during the first year of operation of the _____ Public Library District (that year during which the _____ Public Library District cannot make a levy because it is not yet on the tax rolls).

Option 2: The City/County of _____ agrees to support the library with a property tax levy of _____ during the first year of operation of the _____ Public Library District (that year during which the _____ Public Library District cannot make a levy because it is not yet on the tax rolls).

Revenues received by the City/County of _____ for library services (including budgeted funds and donations) through [date] will be paid to the _____ Public Library District monthly. Back taxes having been levied for the library will be paid as received by the city.

*Additional terms could include specifying which entity will assume responsibility for risk management, liability, insurance, etc.

Planning Phase Form D: Personnel Comparisons

For Category I: Directors

Library	Salary	FICA	Retirement	Health	Life	Other	TOTAL

For Category II: _____

Library	Salary	FICA	Retirement	Health	Life	Other	TOTAL

For Category III: _____

Library	Salary	FICA	Retirement	Health	Life	Other	TOTAL

For Category IV: _____

Library Name	Salary	FICA	Retirement	Health Insurance	Life Insurance	Other	TOTAL

Planning Phase Form D: Personnel Comparisons (cont.)

<p>Instructions: Use as many categories as necessary. Sample categories might be: Other “Professional” Positions, Clerical, Children’s Librarians, Pages/Shelvers, Part-Time Employees, etc. [These are just samples; you do not have to use them.]</p>	<p>Categorize all positions within the participating libraries. For example, if you are using ‘Other “Professional” Positions’, you might put all assistant directors, children’s librarians, technical service libraries, and reference librarian positions in that category.</p>	<p>Figure the salary for the actual annual hours worked for each position in the category. If more than one position in a category exists in a library, use the average annual salary and benefits for those positions.</p>
--	--	---

The Decision Phase

Establishment

We will look at the legal methods by which the public will decide whether to create a library district. There are two approaches by which public library districts can be formed in Montana, by petition to the county governing body or by a resolution of the county governing body. Both ultimately require approval by voters residing within the boundaries of the proposed district.

Establishment. This information is based on MCA 22-1-702. Be advised that the steps outlined herein are of a summary nature only. Users of this handbook are encouraged to refer to MCA to determine the required legal steps necessary to form a district. A public library district may be created by using either of the following options:

Option 1 – By Petition Process:

- Step 1. Filing of a legal petition with the county clerk
- Step 2. The governing body of the county conducts an open hearing

- Step 3. If the governing body views the open hearing results as supportive of a public library district, it adopts a resolution which sets the boundaries, maximum mill levy, and number of trustees for the proposed district, and calls for an election on the question of whether to create the district.
- Step 4. An election is held.
- Step 5. If a majority of the votes cast at the election approve formation of a district, the governing body of each county with territory included in the proposed public library district shall certify that the district is formed and appoint the initial members of the district's board of trustees.

Option 2 – By County Commission Resolution:

- Step 1. A resolution of intent to form a public library district is adopted by the governing body of the county. This resolution schedules a public hearing on the question of forming the dis-

trict and sets forth the various issues that should be considered at that hearing.

- Step 2. The governing body of the county conducts an open hearing.
- Step 3. If the governing body views the open hearing results as supportive of a public library district, it adopts a resolution which sets the boundaries, maximum mill levy, and number of trustees for the proposed district, and calls for an election on the question of whether to create the district.
- Step 4. An election is held.
- Step 5. If a majority of the votes cast at the election approve formation of a district, the governing body of each county with territory included in the proposed public library district shall certify that the district is formed and appoint the initial members of the district's board of trustees.

Elections

When beginning the election, the following tasks must be done. See Title 13 of the Montana Code Annotated for specifics about elections.

- D1. Draft the petition and its contents. (if required)
- D2. Decide upon an election date.

- D3. Create a calendar and checklist of activities.
- D4. Devise and implement a public relations plan.
- D5. Carry out the petition procedure. (if required)

- D6. The county commissioners need to carry out hearing procedures on the proposed district.
- D7. The county commissioners carry out an election on whether to create the district.

Task D One: Draft the Petition and Its Contents.

The petition language and the eventual ballot language must match and be legally sound as approved by the county attorney. The petition must contain the boundaries of the proposed public library district; a map showing the boundaries; the proposed maximum property tax mill levy that could be levied on property owners within the district for the operation of the district; and the proposed number of members on the board of trustees, five or seven. The petition's text must be published in a

newspaper in accord with MCA 7-1-2121.

During the Planning Phase, you decided upon your boundaries. In this phase, you must make it legal by using appropriate terminology and providing a map. Ask your county attorney if s/he can help you create a legal description and map for the district. Or you can hire an engineer or surveying firm to provide you with both of those items.

Name the district. Choose something that describes the geographic area covered and add the words public library district to it.

List the proposed maximum property tax mill levy, which you should have figured out in the Planning Phase. During that phase, you should have also decided upon your board of trustees. How many will you have?

[Refer to *Decision Phase Form C: Petition for Election* at the end of this section.]

Task D Two: Setting the Election Date.

According to MCA 22-1-702, the election can be held in conjunction with a regular or primary election or it can be conducted by mail ballot. General elections are held the first Tuesday after the first Monday in November. Primary elections are held the first Tuesday after the first Monday in June and September.

There are financial advantages to holding an election when other elections are taking place. MCA 13-1-302 gives counties the responsibility for carrying out and paying for the election to establish

a library district. Holding an election can be expensive, so county officials may be more favorable to districting if the election is held in conjunction with other elections.

Other circumstances may affect the election date choice. Think carefully about the election date and do some research on the history of local elections. Ask yourself the following questions:

- Have there been election dates where bond issues or districting

elections have been particularly successful or unsuccessful?

- Are there dates when people are more or less likely to vote?
- Are there other bond issues or controversial items planned for any particular date?

Choosing the election date is a critical decision, as it will drive your calendar, can affect the costs of districting, and will influence other decisions during this phase of the districting project.

Task D Three: Creating an Election Calendar.

A number of preliminary steps must be taken in order for an election to be held. These steps are: collecting signatures on a petition (if a petition is required), presenting these petitions to the county commissioners, notifying the public of a hearing held by the

county commissioners, the hearing itself, issuing an order by the county commissioners, publicizing an election notice by the county clerk, and the election itself.

Each of these steps must be taken within a certain time frame, so if you

carry out any steps too early or too late, you could jeopardize the election. Create an election calendar that lists the timeline for each step in the process. [See *Decision Phase Form B: Election Calendar* at the end of this section.]

Decision Phase Form A: Possible Election Timeline for a Library District

July	Committee decides to pursue a district.
August — October	Committee looks at feasibility; decides upon services; legal boundary; mill levy; and number of trustees.
November	Draft petition language and run it by county attorney (unless county commission adopts a resolution of intent to establish a public library district without requiring a petition).
December — January	Collect signatures. Need 15% of voters to sign petition. Present petition to county clerk.
January	Clerk certifies petition.
February	Publish text of petition in local newspaper. This must be done twice and must appear at least 6 days apart.
February — March	Governing body holds open hearing to discuss proposed district. Governing body calls an election.
March — May	Committee prepares facts, fliers, and holds informational meetings to answer questions and get out the vote.
June	Election*

*** Develop comparable timelines for elections not in June by working back from the date of election.**

Task D Four: Plan Public Relations.

You completed most of this in the Planning Phase, but the election may require a special plan. Base it on the one you created for non-election public relations, but emphasize the importance of people voting on Election Day.

In accord with Montana election laws, form a Political Committee that is a totally independent entity. This committee will solicit, collect, expend, and track election contributions and expenditures. Advertisements for the election should carry the name of the committee and the name of the treasurer. You

don't want this to become an issue during your campaign, so take precautions beyond what is legally required. *Under no circumstance should you use tax dollars to support election advertising.*

Preparing to Get Out the Vote. You must prepare to get the vote on Election Day. Make up lists of supporters including names and phone numbers. Recruit volunteers to call these supporters immediately before the election or on Election Day itself to remind them to vote. Offer rides to those who cannot easily get to the polls. Obvi-

ously you should make these preparations in advance of the election itself.

Getting people to vote is important. Elections have been lost because of poor turnout in precincts. Even though people supported the effort, they forgot to vote. Creating a good list of supporters and reminding them to vote on Election Day is extremely important.

Task D Five: Circulating Petitions.

Petitions containing the name of not less than 15% of voters must be presented to the county commissioners unless that governing body chooses to initiate the district without requiring a petition. Get as many signatures as possible to avoid problems if some names are disqualified. More names also show support for the district.

Petition carriers should be active supporters for the library district. If possible ask for help from people who are property owners, have good standing in the community, and understand the issues. Hold a meeting where both the library issues and the petition process are explained to petition carriers.

Provide good written and oral instructions for petition carriers. Give the carriers these instructions to assure that the petitions will be correct and legal. Use the petition process as a public relations tool for the district.

Here are some tips and instructions for petition carriers:

- ◆ Petition carriers must be registered voters within the proposed district.
- ◆ Petition signers must be registered voters within the proposed district. If the signer isn't sure whether or not s/he is a registered voter, recommend s/he not sign the petition until s/he verifies his/her residency and voter registration.
- ◆ Signers must include their entire address, city and zip code and length of residence.
- ◆ Telephone numbers are optional. Carriers should explain this to signers and let signers know that the telephone numbers will only be used to remind the signer of the hearing and to vote at the election.
- ◆ Petition carriers should sign their own petition on one of the signer's lines as well as making the notarized signature at the bottom of the petition.
- ◆ Petition carriers should not allow a spouse to sign for the other spouse.
- ◆ Petition carriers should not promise anything about tax levies. Refer question about district financing to the Planning Group's financial committee.
- ◆ Petition carriers should inform signers of the hearing process and ask them to attend.
- ◆ Petition carriers must sign the bottom of the petition in the presence of a notary public and they must have their signature notarized. This is extremely important, as *all names will be invalidated if the petition is not notarized*. [See *Decision Phase Form C: Petition for Election* for the language required for validation of signatures.]
- ◆ Turn in petitions by a certain date.
- ◆ Have petition carriers turn in the petition to the district project coordinator or group rather than the county clerk. The petitions can then be checked for flaws, etc. before they are officially turned in.
- ◆ Once you have presented the petition to the county clerk, s/he has 15 days to either reject the petition if it is insufficient or certify that the petition is sufficient.

Task D Six: The Hearing with the County Commissioners.

You should have already discussed the hearing process and a timetable with the clerk and commissioners.

Hearing Date. The county commissioners are required by law to set a time and place for a hearing, once the certified petitions have been presented. The hearing can be part of a regular county commission meeting.

Hearing Itself. This is an opportunity for the public to speak about their concerns with the districting project. MCA 22-1-702 requires the commissioners to hear testimony about:

- ◆ whether a district should be created
- ◆ the proposed boundary, the property tax mill levy, and the number of members of the board of trustees

- ◆ any other matters relating to the proposed district

Hearings may be formal, where speakers must sign up at the beginning of the meeting, and each person is only allowed to speak once. Or they may be informal, where people are allowed to speak back and forth on the issue. Find out how your county commissioners normally conduct hearings, and prepare accordingly.

Task D Six: The Hearing with the County Commissioners. (cont.)

People who oppose the district will attend and speak at the hearing, so have proponents of the district speak at the hearing. Here are some hints about how to make a good impression:

- ◆ Ask community leaders to be present and speak in favor of the district.
- ◆ Put together a team of speakers to address different issues.
- ◆ Ask people to come to the hearing, even if they do not wish to speak.
- ◆ Anticipate the arguments that will be made against the district and plan on answering them.
- ◆ Ask that your most knowledgeable speakers be allowed to present last, if people are only

allowed to talk once. This lets them answer any arguments against the district.

- ◆ Hold a practice session a week before the hearing. Have all those who plan to speak give their presentation. Have a devil's advocate speak against the formation of a district.

After the hearing, county commissioners have two options:

- ◆ Adopt a resolution which sets the boundaries of the district, the maximum mill levy, and the number of members on the board of trustees; and schedules an election on the question, or,
- ◆ Decline to move forward on the district if they are not convinced by the results of the hearing that the issues surrounding the pro-

posed district have been satisfactorily addressed.

Existing Public Libraries and the Hearing. Public libraries not interested in consolidating with the district should indicate so as part of the public hearing process. Those libraries that are interested in consolidating with the district should talk to their governing body. The governing body of the city or county needs to hold a hearing to discuss whether or not the library should be included in the district. If the governing body determines that the library should be included in the district, it needs to adopt a resolution following the public hearing. See MCA 22-1-705 for more information.

Task D Seven: Conducting the Election.

The county must carry out and pay for the election procedures. According to MCA 22-1-702, the election must be conducted in accordance with Title 13 of the Montana Code Annotated. Only qualified electors residing within the proposed public library district may vote. According to MCA 22-1-703, the ballot must contain the following wording:

- _____ FOR the creation of a public library district that may levy not more than _____ mills of property tax for the operation of the district.
- _____ AGAINST the creation of a public library district.

Stay in touch with the county clerk through the election process and monitor the various election processes that need to be completed. [See *Decision Phase Form D: Sample Ballot for Election* for sample ballot language.]

Getting Out the Vote. Make up lists of supporters including names and phone numbers. Recruit volunteers to call these supporters immediately before the election or on Election Day itself to remind them to vote. Offer rides to those who cannot easily get to the polls. Obviously you should make these preparations in advance of the election itself.

Results Certification, Canvassing, and the Creation Order. If the majority of voters favor the district formation, the county commissioners must certify that the district is formed within 10 days. The county commissioners then have 30 days after the certification to appoint initial members of the district's board of trustees. Refer to MCA 22-1-704 for more information.

After District Formation. After the district is formed, cities with an agreement from the district trustees pass resolutions to have their existing libraries consolidated into the district.

Decision Phase Form B: Election Calendar

<u>Activity</u>	<u>Date</u>
Legal description and map finished	
Petition Drive (if required)	
Petitions presented to County Clerk who must reject or certify signatures within 15 days	
First printing of petition text in local newspaper, etc.	
Second printing of petition text in local newspaper, etc. (must wait at least 6 days)	
County Commissioners hold a hearing	
County Commissioners order an election	
First Notice of Election	
Second Notice of Election	
Election	

Decision Phase Form C: Petition for Election

(Sample petition language from the Lake County efforts to form a library district)

PETITION

Persons signing this Petition request that the Lake County Commissioners call for an election on the question of whether to create a Public Library District as described below. The election would be held in conjunction with the June 8, 2004 primary election.

The Public Library District boundaries will encompass all of Lake County. Please see attached map for the boundaries. (Map is reproduced as Section III-A.)

Subject to MCA 15-10-420, the proposed maximum property tax mill levy that could be levied on property owners for the operation of this proposed Public Library District would be 10.07 mills. This mill levy will amount to \$22.80 per year for a property with a market value of \$100,000.00 and \$45.58 per year for a property with a market value of \$200,000.00 (2004 values/mill levies)

A seven member Board of Trustees would direct the Public Library District. These trustees would be elected from seven districts within the Public Library District and serve without pay. The Lake County Commissioners will create these districts.

Creating this Public Library District will stabilize funding for and improve library services, including the full-timer services of a Bookmobile, for the residents of Lake County.

WARNING

A person who purposefully signs a name other than the person's own to this petition, who signs more than once for the same issue at one election, or who signs when not a legally registered Lake County voter is subject to a \$500 fine, 6 months in jail, or both.

All printed names MUST be legible.

Decision Phase Form C: Sample Petition (continued)

*Sample language for petition carrier to sign in front of notary
based upon MCA 13-27-302.*

I, (name of person who is the signature gatherer), swear that I gathered or assisted in gathering the signatures on the petition to which this affidavit is attached on the stated dates, that I believe the signatures on the petition are genuine, are the signatures of the persons whose names they purport to be, and are the signatures of Montana electors who are registered at the address or have the telephone number following the person's signature, and that the signers knew the contents of the petition before signing the petition.

(date on which the first signature was gathered)

(Signature of petition signature gatherer)

(Address of petition signature gatherer)

Subscribed and sworn to before me this ____ day of _____, 20____.

Seal _____
(Person authorized to take oaths)

(Title or notarial information)

Decision Phase Form D: Sample Ballot for Election

_____ County

_____ Public Library District

[Election Date]

INSTRUCTIONS: Mark an "X" in the box of your choice.

STATEMENT OF PURPOSE

The purpose of the proposed _____ Public Library District is to implement the declared policy of the State of Montana in regard to library districts in Montana Code 22-1-702, to establish public library service for all the people in the proposed district within _____ County, to make more adequate provision for an informed electorate by integrating, extending, and adding to existing library services and resources in such manner that public library service may be available to children in their formative years and to adults for their continuing education.

_____ FOR the creation of a public library district that may levy not more than _____ mills of property tax for the operation of the district.

_____ AGAINST the creation of a public library district.

The Outcomes and Alternatives Phase

Careful planning will save you some heartache. You should have addressed the things we talked about earlier. This phase will discuss what happens with an unsuccessful election and what happens when you win.

Whether you win or lose, remember that you are trying to improve your community. Change isn't easy, and sometimes it takes more than one attempt to succeed. Before leaving you with final comments, consider the following quote:

"What is a community without a thriving, fully functioning public library? It's a pretty desolate, barren, totally uncool place to be." — Columnist Dawn Turner Trice on the importance of voting in local library referenda, Chicago Tribune, March 31, 2004.

Remember our communities need quality library service. We provide a place for people to learn and grow.

Contingency Plans

There are two possible results of an election, winning and losing. Keep in mind; many wonderful projects have ended with an unsuccessful election. Sometimes even when you do everything right, other issues cause you to lose. Perhaps there was an unpopular item on the ballot that influenced the voter's decision; maybe your supporters didn't get out to vote. The educational effort involved in districting may require a couple of unsuccessful elections before you succeed. Because failure is a possibility, take time to decide how to handle a lost election.

Realize that you and others in the districting effort will feel anger, discouragement, and disappointment. This will not be a good time to make decisions. This is why you need to make contingency plans.

Finding Alternatives. The election failure leaves the issues that originally created an interest in districting. You have three options:

1. to try again.
2. to try another alternative.
3. to let the issue rest for a time.

Carry out the following tasks to determine what is the best of these three alternatives:

- O1. Analyze the election campaign and results
- O2. Re-examine districting alternatives based on the analysis
- O3. Proceed with an alternative

Task O One: Analyze the Election Campaign and Results.

Analyzing the election campaign and results is an important task. Analyzing a campaign will help you decide upon what action you should take after a failed election. Don't assess blame. Instead use the knowledge that you have now to do things differently next time around. Look at the precinct-by-precinct report of the election results. Are there areas where the vote was strong? Areas where it was weak? Were there any surprises? Were there areas where

you expected strong support, but didn't see that materialize? Was there strong opposition in some parts of the proposed district? Try to understand the reasons behind the answers you receive.

As a group talk about the election. Here are some general questions you can ask yourself:

- ◆ Were there turning points in the election process — events that had a negative effect on the outcome? Could those events have been avoided and how?

- ◆ If the election was very close, what effect might another election have? Can you change the situation enough to make a difference in the outcome? Would another election soon after this election cause a backlash among voters?

Task O Two: Re-examine Alternatives.

Re-examine all the alternatives in light of the election results.

- If the election was extremely close and it appears that corrective measures could change the results, you may want to try again.
- If the districting measure was strongly opposed in one geographic area, but supported in others, redraw the district lines. This may create a district where there is support.
- If the election results were overwhelmingly opposed to the district, you may want to wait.

Task O Three: Proceeding.

Proceed with a new course of action, once you have analyzed the campaign and results. Disband the group, if you choose to wait until later.

If you want to try another election, return to the Planning Phase.

Make the necessary changes in the dates and procedures to be used. Think about how to market the proposal and make it acceptable to the electorate. Pay attention to the arguments opponents made against the district and take corrective action.

If a change in library district boundaries is chosen, return to the Assessment Phase and re-examine the issues that have been raised. Review the first attempt at districting and make necessary modifications to the new proposed district.

Success!

If your election passes and a new district is created, there are lots of things that must be accomplished:

S1. Celebrate your accomplishment! Say thank you to all who supported the effort.

S2. Monitor the county commissioners' (and in some cases the city council's) actions that are required to create or expand the district.

S3. Carry out your new service plan.

S4. Publicize the changes that are occurring.

Task S One: Celebrate!

Take some time to savor success. Throw a party, because you have

worked hard at providing excellent library service for your community.

Thank those who helped, including the county commissioners.

Task S Two: Monitor the County Commissioners and the City Council.

Local officials have certain activities that they are required by law to carry out if the election is successful.

- After the results have been canvassed, the county commissioners must certify that the district is formed within 10 days.

- Within 30 days after the certification, the county commissioners of each county within the district must jointly appoint the initial members of the district's library board. Refer to MCA 22-1-704.

Task S Three: Carry Out Your Long Range Plan.

Begin working on the activities you planned. Make any needed changes in personnel structure,

policies, and initiating new services. The more planning you did in the

planning phase, the easier this will be.

Task S Four: Publicize the Changes.

Publicize the positive changes you have made in the new library district. Here are some ideas:

- Send press releases to all media outlets when you begin or expand a service.
- Ask the local paper to do an in-depth article on the changes, several months after the

changes have been made. Suggest they write the article from the patron's perspective.

- Suggest a story to a local television station's news director, if there is a channel close to your area.
- Create and distribute a nicely printed annual report for the dis-

trict after its first year of operation, showing new services and how well they have been used.

- Volunteer to provide speakers for local service club meetings to talk about new library services.
- Be creative!

Addendum A

PUBLIC LIBRARY DISTRICTS – MONTANA CODE ANNOTATED 2005

22-1-701. Public library districts -- purpose -- territory. (1) The purpose of this part is to provide a method for:

- (a) establishing, equipping, administering, and funding public libraries; and
- (b) contracting for library services from existing public libraries.

(2) A public library district may contain the entire territory of a county, the territory of part of a county, or territory in more than one county. A public library district may include incorporated municipalities within a county.

(3) The territory included in a public library district must contain a taxable value of at least \$5 million.

22-1-702. Creation or enlargement of public library district. (1) Proceedings for the creation or enlargement of a public library district or the conversion of a public library to a public library district may be initiated by:

(a) a petition signed by not less than 15% of the qualified electors who reside within the proposed district or the area to be added to an existing district; or

(b) a resolution of intent adopted by the county governing body, calling for the creation of a district.

(2) The petition must contain:

(a) the boundaries of the proposed public library district;

(b) a map showing the boundaries;

(c) subject to 15-10-420, the proposed maximum property tax mill levy that could be levied on property owners within the district for the operation of the district; and

(d) the proposed number of members on the board of trustees. The number of members must be five or seven.

(3) When the territory to be included in the proposed public library district lies in more than one county, a petition must be presented to the governing body of each county in which the territory lies. Each petition must be signed by not less than 15% of the qualified electors of the territory within the county proposed for inclusion in the district.

(4) Upon receipt of a petition to create a public library district, the county clerk shall examine the petition and within 15 days either reject the petition if it is insufficient under the provisions of subsection (1), (2), or (3) or certify that the petition is sufficient and present it to the county governing body at its next meeting.

(5) The text of the petition must be published as provided in 7-1-2121 in each county in which territory of the proposed public library district lies.

(6) At a hearing on the proposed public library district, the county governing body shall hear testimony:

(a) of all interested persons on whether a district should be created;

(b) regarding the proposed boundary, the property tax mill levy, and the number of members of the board of trustees; and

(c) on any other matter relating to the petition.

(7) After the hearing, if the county governing body determines that the proposed public library dis-

trict should be created, it shall by resolution:

- (a) set the boundaries of the proposed district;
- (b) set the maximum mill levy for the proposed district;
- (c) set the number of members to be on the board of trustees; and
- (d) call for an election on the question of whether to create the district. The election may be:
 - (i) held in conjunction with a regular or primary election; or
 - (ii) conducted by mail ballot in accordance with the provisions of Title 13, chapter 19.

22-1-703. Election on creation of district. (1) The election on the question of whether to create a public library district must be conducted as provided in Title 13.

(2) Only qualified electors residing within the proposed public library district may vote on the question of whether to create the district.

(3) The question of creating a public library district must be submitted to the electors in substantially the following form:

- ☐ FOR the creation of a public library district that may levy not more than ... mills of property tax for the operation of the district.
- ☐ AGAINST the creation of a public library district.

22-1-704. Formation of public library district -- appointment of initial board of trustees.

(1) If a majority of the votes cast at the election in the territory of each county included in the proposed public library district approve the formation of the district, the governing body of each county shall, within 10 days of the receipt of the official canvass of the result, certify that the district is formed.

(2) Within 30 days after the certification of the formation of the public library district, the governing body of each county with territory included in the district shall jointly appoint the initial members of the district's board of trustees. The members shall serve until their successors are elected and qualified.

22-1-705. Consolidation of existing public libraries and public library districts. (1) (a) If all or part of the territory served by an existing public library, as defined in 22-1-326, is included within the boundaries of a public library district, the governing body of each county with territory included in the district shall notify the governing body of the city or county that established the public library that the territory served by the library is included in the district boundaries. The governing body of the city or county that established the public library shall hold a public hearing on the question of whether the territory served by the library should be included in the district. If the governing body determines that the territory served by the public library should be consolidated into the district, it shall adopt a resolution, following the public hearing, to that effect. If the governing body of the city or county that established the public library determines that the territory served by the library should not be included in the district, it shall adopt a resolution to that effect and the boundaries of the district must be adjusted to exclude the territory served by the public library.

(b) Any existing bonded indebtedness against the territory served by the public library or the library district remains the indebtedness of the original territory and must be paid by levies on the original territory.

(2) The territory of an existing public library district may be consolidated into a contiguous

district upon the adoption of a resolution, following a public hearing, by the board of trustees of each district. The governing board of the county containing the largest percentage of territory in the district shall appoint the board of trustees for the consolidated district. The appointed trustees shall serve until their successors are elected, in accordance with the provisions of 22-1-706.

22-1-706. Election of board of trustees -- compensation -- removal -- single-member trustee districts. (1) After appointment of the initial members of the board of trustees, all members must be elected by the electors of the public library district.

(2) The election of members to the board of trustees must be held in conjunction with the annual school elections held pursuant to 20-3-304.

(3) (a) A candidate for the office of trustee of the public library district must be a resident of the district and must be nominated by petition, signed by at least five electors of the district and filed with the office of the election administrator not earlier than 135 days or later than 75 days prior to the election day.

(b) If the district lies in more than one county, the petition for nomination must be presented to the election administrator whose county contains the largest percentage of territory in the district.

(4) If the number of candidates is equal to or less than the number of positions to be elected, the election administrator may cancel the election in accordance with 13-1-304. If an election is not held, the county governing body shall declare elected by acclamation each candidate who filed a nomination petition for a position. If a nomination petition is not filed for an office, the county governing body of the county containing the largest percentage of the territory in the public library district shall appoint a member to fill the term. A person appointed pursuant to this subsection has the same term and obligations as a person elected to fill the office.

(5) The term of office of an elected board member begins on the date that the board member is elected and qualified. The term of office of an elected member is 4 years, except that a simple majority of the members of the first elected board shall serve a term of 2 years, with the minority of the board serving terms of 4 years. The members serving 2-year terms must be selected by lot.

(6) A vacancy in the office of a member must be filled by appointment by the remaining members of the board. The term of the appointed member expires upon the election and qualification of an elected successor or upon the election of a member to fill the unexpired term of the vacant office. The election must be held at the next scheduled school election held pursuant to 20-3-304.

(7) Members of the board of trustees serve without compensation.

(8) A trustee may be removed from office by a court of competent jurisdiction pursuant to state law governing the removal of elected officials. If charges are brought against a trustee and if good cause is shown, the governing body of the county containing the largest percentage of territory in the public library district may suspend the trustee until the charges can be heard in a court of competent jurisdiction.

(9) (a) If the trustees determine that it is in the best interest of the electors of the public library district, they shall:

(i) propose the creation of a single-member trustee district plan with districts that are as compact in area and as equal in population as possible;

(ii) schedule and hold a public hearing on the plan; and

(iii) publish a notice of the public hearing as provided in 7-1-2121.

(b) After the public hearing is held, the trustees may amend, revise, approve, or disapprove the proposed plan. If the plan is adopted, the trustees shall publish notice of its adoption as provided in 7-1-2121.

(c) All successors to the board of trustees must be elected in accordance with the adopted single-member trustee district plan, and the election of each member must be submitted to the electors of the trustee district in which the candidate resides.

22-1-707. Duties and powers of board of trustees. (1) The board of trustees of a public library district shall:

(a) operate and maintain library property within the district and may conduct programs relating to libraries and make improvements to district property as the board considers appropriate;

(b) prepare annual budgets as required by the county governing body or bodies;

(c) pay necessary expenses of district staff members when on business of the district; and

(d) prepare and submit any records required by the Montana state library.

(2) The board has all powers necessary for the betterment, operation, and maintenance of library property within the territory of the public library district, including establishing library locations. In the exercise of this general grant of powers, the board may:

(a) (i) employ or contract with administrative, professional, or other personnel necessary for the operation of the district; or

(ii) contract with other entities to provide or receive library services and to pay out or receive funds for those library services;

(b) lease, purchase, or contract for the purchase of personal property, including property that after purchase constitutes a fixture on real property;

(c) (i) lease, purchase, or contract for the purchase of buildings and facilities on lands controlled by the district and may own and hold title to the buildings and facilities and equip, operate, and maintain the buildings and facilities; or

(ii) receive by transfer, conditionally or otherwise, from a county or city, the ownership or control of a library building, with all or any part of its property, provided that any existing debt of the governing body transferring the interest tied to the property must remain an obligation of the governing body and may not become an obligation of the district;

(d) adopt by resolution bylaws and rules for the operation and administration of the district;

(e) subject to 15-10-420, establish a property tax mill levy for the operation of the district as provided in 22-1-708;

(f) with the concurrence of the county governing body or bodies, accept donations of land or facilities within the district to be used for district purposes;

(g) accept donations and devises of money or personal property;

(h) establish a library depreciation reserve fund as authorized and described in 22-1-716; and

(i) exercise other powers, not inconsistent with the law, necessary for the operation and management of the district.

22-1-708. Public library district budget -- property tax levy. (1) The board of trustees shall annually prepare a budget for the ensuing fiscal year and present the budget to the governing body of each county with territory in the public library district at the regular budget meetings as prescribed in Title 7, chapter 6, part 40, and certify the amount of money necessary for the op-

eration of the district for the ensuing fiscal year.

(2) Subject to 15-10-420, the county governing body shall, annually at the time of levying county taxes, fix and levy a tax on all taxable property within the public library district sufficient to raise the amount certified by the board of trustees and approved by the electors. The tax levied may not in any year exceed the maximum amount approved by the electorate in 22-1-703 or 22-1-709.

22-1-709. Election to change maximum property tax mill levy. (1) The maximum property tax mill levy authorized for the operation of a public library district may be changed by an election on the question of changing the maximum mill levy.

(2) A vote on the question of raising or lowering the maximum property tax mill levy in the public library district may be initiated by:

- (a) a petition signed by not less than 15% of the electorate of the district; or
- (b) a resolution of the board of trustees.

(3) The petition must set forth the proposed new maximum mill levy for the operation of the district.

(4) Upon receipt of a petition for a change in the maximum mill levy, certified by the county clerk as sufficient under this section, or upon receipt of a resolution for a change adopted by the board of trustees, the county governing body shall submit to the electorate of the public library district, at the next regular or primary election, a ballot question on changing the maximum mill levy. The election must be held as provided in Title 13. The question must be submitted to the electors of the district in substantially the following form:

☐ FOR changing the authorized maximum property tax mill levy for the operation of the public library district from to

☐ AGAINST changing the authorized maximum property tax mill levy for the operation of the public library district.

22-1-710. Dissolution of public library district. (1) A public library district may be dissolved after an election on the question of dissolving the district. The process of dissolving the district may be initiated by a petition of 15% of the electorate of the district or by a resolution of intent to dissolve the district adopted by either the board of trustees or the governing body of the county in which territory of the district is located.

(2) Upon receipt of a petition that has been certified by the county clerk as sufficient under this section or upon adoption of a resolution of intent, the county governing body shall hold a public hearing on the question of dissolving the public library district. Notice of the hearing must be published as provided in 7-1-2121.

(3) At the public hearing, the county governing body shall hear testimony of interested persons regarding the dissolution of the public library district. After the public hearing, the county governing body may either submit the question of dissolving the district to the electorate of the district or it may call for a public hearing on the question of altering the boundaries of the district. If the county governing body calls for a public hearing on the question of altering the boundaries of the district by the withdrawal of territory, it shall publish notice of the hearing as provided in 7-1-2121. The notice must state the boundaries of the area proposed to be withdrawn from the district. After hearing testimony at the hearing, the county governing body may submit the question of either dissolving the district or altering the district by the withdrawal of specified territory from the district to the electorate of the district.

(4) The question must be submitted by a resolution calling for an election on either dissolving the public library district or altering the boundaries of the district by the withdrawal of land from the district. The county governing body shall schedule the election in conjunction with any other regularly scheduled election. The election on the question must be conducted as provided in Title 13.

(5) The question of withdrawal of territory under this section must be voted upon separately by the electorate of the territory to be withdrawn and the electorate of the balance of the territory of the public library district. The question fails unless a simple majority of those voting on the question in each of the two territories authorize altering the district boundary. If the question passes, the boundary alteration is effective the following January 1. If the question fails, the county governing body shall by resolution call for an election on the question of dissolving the district.

22-1-711. Effect of dissolution. (1) If dissolution of a public library district is authorized by a majority of the electorate of the district, the county governing body shall order the dissolution and file the order with the county clerk. The dissolution is effective upon the earlier of the following:

(a) 6 months after the date of the filing of the order; or

(b) certification by the board of trustees that all debts and obligations of the district have been paid, discharged, or irrevocably settled.

(2) (a) If debts or obligation of the public library district remain unsatisfied after the dissolution of the district, the county governing body shall, subject to 15-10-420 and for as long as necessary, levy a property tax in an amount not to exceed the amount authorized for the district, on all taxable property that is in the territory formerly comprising the district, to be used to discharge the debts of the former district.

(b) If the electors of the district lowered the maximum amount to be levied for the operation of the district within 2 calendar years prior to the election authorizing the dissolution, the county governing body may, subject to 15-10-420, levy a property tax not to exceed the levy authorized prior to the reduction of the maximum levy for the discharge of the district's obligations.

(3) Any asset of the public library district remaining after all debts and obligations have been discharged becomes the property of the county in which the asset is located.

22-1-712 through 22-1-715 reserved.

22-1-716. Library depreciation reserve fund. (1) The trustees of a public library district may establish a library depreciation reserve fund for the replacement and acquisition of property, capital improvements, and equipment necessary to maintain and improve district library services.

(2) Money for the library depreciation reserve fund is those funds that have been allocated for district library services in any year but which have not been expended by the end of the year. The money includes but is not limited to county appropriations, federal reserve sharing funds, and public and private grants.

(3) The money held in the library depreciation reserve fund may be invested as provided by law. All interest earned on the fund must be credited to the library depreciation reserve fund.

This publication was funded by a Library Services and Technology Act (LSTA) grant received

from the  INSTITUTE of
Museum Library SERVICES and the  MONTANA
State Library Commission.



This publication was produced in September of 2005.

It is available in alternative formats upon request.

Eight hundred copies of the Public Library District Handbook were published.

Publication and distribution expense information are on file with the

Montana Department of Administration.